

REMARKS

By way of Office Action mailed October 9, 2003, the Examiner has entered a two-way Restriction Requirement as follows:

Group I - Claims 1-62 directed to an apparatus for applying a treatment fluid to foodstuffs; and

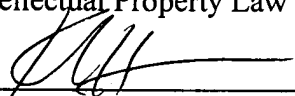
Group II - Claim 63 directed to a method of applying a treatment fluid to foodstuffs.

Applicants hereby elect, without traverse, the Group I claims – that is, claims 1-62 – for further prosecution in this application. Claim 63 has been canceled. Of course, Applicants reserve the right to continue prosecution of the canceled subject matter in a divisional application.

In addition, the Examiner has also required Applicants to elect a single disclosed species for purpose of initial examination. To that end, Applicants elect the “apparatus with spiral blade agitation” as identified by the Examiner on page 2 of the Office Action. Claim 45 is generic to this species, while claims 46-62 read thereon.

In view of the above amendments and remarks, consideration and allowance of elected claims 1-62 are respectfully requested.

Respectfully submitted,
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